

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
CENTRAL DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

VICTOR NAHUM VARGAS,

Defendant.

No. 18-04066-01-CR-C-BCW

**GOVERNMENT’S SUGGESTIONS IN OPPOSITION TO DEFENDANT’S
MOTION TO REOPEN AND RECONSIDER PRETRIAL DETENTION**

COMES NOW the United States of America, by and through Timothy A. Garrison, the United States Attorney for the Western District of Missouri, and in opposition to the defendant’s Motion to Reopen and Reconsider Pretrial Detention (D.E. 24) states as follows:

SUGGESTIONS

On May 12, 2018, the defendant was charged by Complaint with a violation of Title 18, United States Code, Sections 922(d)(1) and 924(a)(2). (D.E. 1.) On May 21, 2018, this Court detained the defendant following a hearing in which it found “by a preponderance of the evidence that the defendant is a risk of flight, and finds by clear and convincing evidence that the defendant is a danger to the community.” (D.E. 9, p. 2.) The defendant was subsequently indicted on June 6, 2018, on two counts of selling firearms (5 firearms on April 18, 2018, and 11 firearms on May 11, 2018) to a person knowing and having reasonable cause to believe that person was a felon. (D.E. 11).

Nothing has changed which would a warrant reconsideration of the defendant’ detention. Of particular note is the danger that the defendant poses to the community based upon his criminal history, the affidavit filed in support of the Complaint, and the proffered evidence at the detention

hearing that the defendant clearly understood that the weapons he sold were going to the streets of Chicago for use by a felon, and that he repeatedly touted his ability to manufacture untraceable firearms and obliterate the serial number from firearms.

For the reasons set forth above, the Government requests that the defendant's Motion to Reopen and Reconsider Pretrial Detention (D.E. 24) should be denied.

Respectfully submitted,

Timothy A. Garrison
United States Attorney

By /S/

Lawrence E. Miller
Assistant United States Attorney
Missouri Bar No. 35931

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing was delivered on July 26, 2018, to the CM-ECF system of the United States District Court for the Western District of Missouri for electronic delivery to all counsel of record.

/S/
Lawrence E. Miller
Assistant United States Attorney